

### **REMARKS/ARGUMENTS**

The Office Action has been carefully considered. It is respectfully submitted that the issues raised are traversed, being hereinafter addressed with reference to the relevant headings appearing in the Detailed Action section of the Office Action.

The Applicant thanks the Examiner for the Office Action dated July 14, 2005.

The Applicant has amended the description and the claims. It is submitted that the amendments are fully supported by the specification as originally filed.

The Applicant has deleted paragraph 1 at Page 1 of the specification and replaced it with a paragraph entitled "Cross-Reference to Related Applications" showing the appropriate continuity of this application. A Replacement Declaration is enclosed. The Applicant submits that this amendment introduces no new matter.

The Applicant has updated Pages 1 to 3 of the specification and replaced the docket numbers and/or application serial numbers by their application serial numbers and/or granted patent numbers where appropriate. A few typographical errors have also been corrected. The Applicant submits that these amendments introduce no new matter.

All (8) priority documents are enclosed.

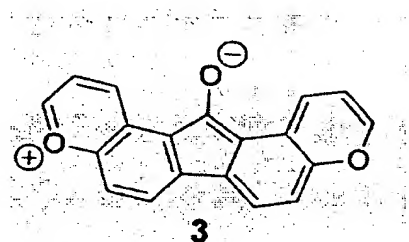
The Applicant proposes a clarifying amendment to claim 1 to recite that the organic molecule of formula I is comprised by an infrared dye. See reference to "the infrared dye" in the penultimate line of claim 1 and the preamble of claim 4 previously pending.

The Applicant proposes a clarifying amendment to correct the claim dependency of claim 6.

In response to the Election/Restriction requirement at paragraph 1, the Applicant provisionally elects claim Group I to claims 1 and 4 as identified by the Examiner.

Applicant respectfully traverses the Election/Restriction requirement to additional Groups II and III as identified by the Examiner on the grounds that the claims all share a common utility as being infrared absorbing dyes and ink compositions comprising same. Reference is also made to co-pending US application No. 09/927,685 on which a Notice of Allowance issued on September 8, 2005. Application '685 has a similar set of claims to which no corresponding Election/Restriction requirement issued. Accordingly the present set of claims are likewise of the one invention. Withdrawal of the Election/Restriction requirement of paragraph 1 is respectfully requested.

In response to the Election/Restriction requirement at paragraph 3, the Applicant elects compound 3 on page 88 of the description as a single specific compound. This compound is reproduced below:




As a provisional election of a distinct species of compound, the Applicant provisionally elects compounds according to generic formula 1 in claim 1, wherein, according to the exemplified compounds 3 to 10, X is selected from the group consisting of CO, O and S; Y is individually selected from the group consisting of CO, O, S, CR<sub>6</sub>R<sub>7</sub> and Z is selected from CR<sub>8</sub> or N; and Z is individually selected from the group consisting of CO, O, S, CR<sub>6</sub>R<sub>7</sub> and Y is selected from CR<sub>8</sub> or N. Amended claims corresponding to the Applicant's provisional election are filed herewith.

Applicant reserves the right to file one or more further applications to subject matter not pursued in the subject application.

In view of the foregoing, it is respectfully requested that the Examiner reconsider and withdraw the rejections. The present application is believed to be in condition for allowance. Accordingly, the Applicant respectfully requests a Notice of Allowance of all the claims presently under examination.

Very respectfully,

Applicants:



---

LACHLAN EVERETT HALL



---

KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd  
393 Darling Street  
Balmain NSW 2041, Australia  
Email: [kia.silverbrook@silverbrookresearch.com](mailto:kia.silverbrook@silverbrookresearch.com)  
Telephone: +612 9818 6633  
Facsimile: +61 2 9555 7762